IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

THURSDAY, THE 6TH SEPTEMBER 2007 / 15TH BHADRA 1929

WP(C).No. 2853 of 2007(M)

PETITIONER:

K.PRASANNAN, VAYALIL HOUSE,
KOCHUTHITTA, KADAKKAVOOR,
THIRUVANANTHAPURAM DISTRICT.

BY ADV. SRI.VAKKOM N.VIJAYAN
SMT.VINITHA PRASANNAN
SRI.P.ANIYAN
SMT.REENA.C.STEPHENSON
SRI.A.S.SACHIN

RESPONDENTS:
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1. **STATE OF KERALA, REPRESENTED BY THE PRINCIPAL SECRETARY, REVENUE AND DISASTER MANAGEMENT, GOVT. OF KERALA, THIRUVANANTHAPURAM.**

2. **THE DISTRICT COLLECTOR, THIRUVANANTHAPURAM.**

3. **DEPUTY DIRECTOR OF EDUCATION, THIRUVANANTHAPURAM.**

BY GOVERNMENT PLEADER SRI.M.R.SABU

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 06/09/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C) NO.2853/2007

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1:- COPY OF THE GO(RT) NO.4998/06/DMD DT. 22.12.06.

EXT.P2:- COPY OF THE ORDER DT. 5.1.07 OF THE 2ND RESPONDENT.

EXT.P3:- COPY OF THE CERTIFICATE DT. 19.1.07 ISSUED BY THE SREE NARAYANA VILASOM GOVT.H.S.S., KADAKKAVUR.

EXT.P4:- COPY OF THE REPRESENTATION DT. 20.1.07 BY THE PETITIONER BEFORE THE 1ST RESPONDENT.

/TRUE COPY/

P.S. TO JUDGE

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ANTONY DOMINIC, J.

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W.P.(C) No. 2853 OF 2007 M
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Dated this the 6th September, 2007

J U D G M E N T

The writ petition is filed praying for a direction to the 1st respondent to issue necessary directions to respondents 2 and 3 to include Sree Narayana Vilasom Govt. H.S.S. Kadakkavur in Ext. P2 list for getting the scholarships under the PMCAS and PMSYAC Schemes. In the counter affidavit filed by the 2nd respondent, it has been stated that the representation filed by the petitioner was received only on 27-1-2007 and orders effecting the payment as per the Government Order were issued on 5-1-2007 and payment was already effected to 11 schools mentioned in the said order. Thus the stand of the respondent is that by the time the petitioner represented in the matter the amount that was received was already distributed.

2. However, it is also stated in the counter affidavit that the list of schools eligible to receive payment was revised in view of certain complaints in this behalf. It is also stated that that a proposal

for implementing the scheme for the next year is already submitted to the Government in which the petitioner's school is also included. It is stated that when the amount is distributed next year the petitioner will also be a beneficiary. This would redress the grievance of the petitioner to a substantial extent.

3. The learned counsel for the petitioner submits that even though this year the amount has been distributed in an erroneous manner with the result ineligible persons have received the benefit of the scheme. However, I am not in a position to take cognizance of the said statement, nor pass any order in that behalf, for the reason that none of such erroneous beneficiaries have been impleaded in this case.

4. In the result, recording the statement of the District Collector that the petitioner's school will also be included in the list of eligible schools for the next year, this writ petition is disposed of directing that the benefits thereof shall be made available to the petitioner's school also.

ANTONY DOMINIC
JUDGE

jan/-